

**UNITED STATES DISTRICT COURT**

## DISTRICT OF NEVADA

Guillermo Renteria-Novoa,

Case No.: 2:23-cv-01106-JAD-BNW

Petitioner

## **Order Dismissing Improperly Commenced Habeas Proceeding**

Brian Williams, et al.,

## Respondents

Petitioner, a Nevada prisoner, has submitted a petition for writ of habeas corpus under 28 U.S.C. § 2254.<sup>1</sup> Petitioner has not filed an application to proceed *in forma pauperis* or paid the filing fee.<sup>2</sup> Because this matter has not been properly commenced, it is dismissed without prejudice to the ability to bring a **new** action under 28 U.S.C. § 2254 with either the \$5.00 filing fee or a completed application to proceed *in forma pauperis* on the proper form with both an inmate account statement for the past six months and a properly executed financial certificate.

IT IS THEREFORE ORDERED that this action is dismissed without prejudice.

17 IT IS FURTHER ORDERED that a certificate of appealability is denied, as jurists of  
18 reason would not find the court's dismissal of this improperly commenced action without  
19 prejudice to be debatable or incorrect.

20 IT IS FURTHER ORDERED that the Clerk is directed to SEND petitioner two copies  
21 each of an application form to proceed *in forma pauperis* for incarcerated persons and a

|<sup>1</sup> ECF No. 1-1.

<sup>2</sup> See 28 U.S.C. § 1915(a)(2) and Local Rules LSR 1-1, 1-2.

1 noncapital Section 2254 habeas petition form, one copy of the instructions for each form, and a  
2 copy of the papers that he submitted in this action.

3 IT IS FURTHER ORDERED that the Clerk is directed to ENTER JUDGMENT  
4 accordingly and close this case.

5 Dated: September 29, 2023

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7 U.S. District Judge Jennifer A. Dorsey  
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